

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION**

**JOE PAT BEASLEY,**

**Plaintiff,**

**v.**

**AVERY DENNISON CORPORATION;  
and RENNER, OTTO, BOISELLE &  
SKLAR, LLP,**

**Defendants.**

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**CIVIL ACTION NO.**

**SA-04-CA-0866 FB (NN)**

**ORDER DENYING MOTION TO EXTEND DEADLINES (DOCKET ENTRY 82)**

The matter before the Court is the parties' joint motion to extend deadlines (docket entry 82).

This is the parties' 5<sup>th</sup> request to extend deadlines. This case was filed in September 2004. The initial scheduling order set the discovery deadline as October 31, 2005. It has subsequently been extended to July 31, August 31 and November 6, 2006, and February 9, 2007. While an unusual amount of Rule 12 motions were filed in this case, the last of those motions was resolved in May 2006.

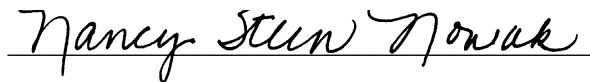
Federal Rule of Civil Procedure 6(b) states that motions to extend deadlines must be supported by a showing of "cause." Here, the parties rely on Judge Biery's January 5, 2007 Order affirming my October 4, 2006 Order granting a motion to compel, which they explain has resulted in the noticing of several additional depositions. While that may be the case, the parties have failed to explain why these depositions could not have been noticed within the established time for discovery. Given the time this case has been pending and the fact that while it presents a rather

unusual claim it is not unusually fact intensive, I find that the parties have failed to justify their joint request for an additional 60 days to complete discovery.

Accordingly, the motion to extend deadlines is DENIED. The parties are reminded that they may continue to participate in discovery beyond the February 9, 2007 deadline; however, the court will not become involved in discovery related disagreements after that date. See Local Rule CV-16(d).

It is so ORDERED.

**SIGNED** on January 18, 2007.

A handwritten signature in cursive script, reading "Nancy Stein Nowak", is written over a horizontal line.

NANCY STEIN NOWAK  
UNITED STATES MAGISTRATE JUDGE